

Remarks

The Examiner's reconsideration of the application is requested in view of the amendments above and comments which follow.

First of all, the claims have been amended to correct the deficiency in the multiple dependency. Claim 3's multiple dependency has been retained, and is proper in that regard.

In the Office Action, the Examiner has rejected claims 1-3 under either 35 U.S.C. §102 or 35 U.S.C. §103 as being anticipated by Kling U.S. Patent No. 2,583,379 (regarding claims 1 and 2) or Kling in view of Chappa U.S. Patent No. 6,562,136 (in relation to claim 3). Reconsideration is requested.

The corresponding European application has been granted as European Patent No. 03740729, and the claims above have been amended to bring them into conformity with the granted European claims, with the exception that reference numerals are not set forth in the U.S. claims. Otherwise, the claims correspond to those of the granted European Patent.

Claim 1 has been amended to include the subject matter of now-cancelled dependent claims 4, 5 and 6. It is submitted that with these amendments, the claims distinguish over Kling, and the remainder of the prior art, in at least three ways:

- 1) the chamber is in the form of an annular trough.
- 2) the holding means hold the specimens so that the latter depend from the holding means at angularly spaced positions around the circle.
- 3) the second structure includes a lid which acts to close the chamber in the first position and the other side of which carries the holding means.

With this amendment, it is submitted that claim 1, and its depending claims, clearly distinguish from the prior art. The invention has the advantage of simplicity and low maintenance resulting from the provision of a common trough, so that all the specimens are identically treated, i.e. they are all dipped into the same liquid for exactly the same time. Also, the provision of a common lid closes the single chamber in the most effective way, and the feature of the underside of the lid carrying the holding means for supporting the specimens provides the simplest way

of supporting the specimens and insuring that the trough is closed when the specimens are moved into the liquid.

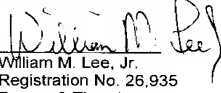
Kling discloses immersion apparatus for subjecting tissue specimens to a plurality of treatments. The tissue specimens are treated successively in a plurality of liquid agents held in a number of angularly spaced beakers 54. Each beaker is closable by an individual lid 62. There is one beaker for each specimen to be treated and one covering lid for each beaker. By this means, the tissues are successively treated in a plurality of liquid agents. This contrasts with the present invention as set forth in claim 1, where the object is to subject all specimens to an identical treatment by dipping them into the same liquid held in a common container for exactly the same time of treatment.

Referring to Chappa, Chappa shows apparatus for spray coating objects 448 held on angularly spaced mounts 9 rotatable so that they are brought into alignment with coating stations 2, as shown in Figure 1. This reference therefore has little relevance to the invention as claimed, and has been cited apparently in relation to claim 3 only because of the disclosure of a magnet to hold the gripper carrier 40 on the shaft 26. Otherwise, it does not appear that Chappa is relevant, and adds nothing further to the deficiencies of Kling.

It is therefore submitted that the claims, as amended, are in condition for allowance, and the Examiner's further and favorable reconsideration of the application is urged.

April 30, 2008

Respectfully submitted,


William M. Lee, Jr.
Registration No. 26,935
Barnes & Thornburg
P.O. Box 2786
Chicago, Illinois 60690-2786
(312) 214-4800
Fax (312) 759-5646

CHDS01 W.LEE 462163v1